

REMARKS

Applicants are in receipt of the Office Action mailed May 6, 2004. Claims 9, 24, 25, 27, 28, 42, 47, and 48 have been cancelled, thus rendering their rejections moot. Claims 1, 16, 17, 18, 21, 23, 26, 34, and 46 have been amended to more clearly represent the invention as claimed. Claims 52 and 53 have been added. Therefore, claims 1-8, 10-23, 26, 29-41, 43-46, and 49-53, are pending in the application. Further consideration of the present case is earnestly requested, in light of the following remarks.

Oath/Declaration

Applicants note that a new oath or declaration is required because a provisional application number listed on the original was incorrect. Applicants are in the process of procuring a new signed declaration with the correct provisional application number and will provide this declaration as soon as it is available.

Specification

The specification was objected to because a provisional application number provided in the priority claim was incorrect. Applicants have amended the priority claim to include the correct provisional application number.

Section 102 Rejections

The Office Action rejected claims 1-51 under 35 U.S.C. 102(e) as being anticipated by Ohara et al ("Ohara", USP 6366300). Applicants respectfully disagree.

Amended claim 1 recites:

1. A computer-implemented method for programmatically generating a graphical program, the method comprising:
 - displaying a graphical user interface (GUI) on a display;
 - receiving user input to the GUI specifying desired functionality of the graphical program; and

programmatically generating the graphical program in response to the user input specifying the functionality of the graphical program, wherein the graphical program implements the specified functionality;

wherein the graphical program comprises a block diagram portion comprising a plurality of interconnected nodes, and a graphical user interface portion; and

wherein said programmatically generating the graphical program includes generating the block diagram portion and the graphical user interface portion.

Applicants submit that Ohara fails to teach or suggest “wherein the graphical program comprises a block diagram portion comprising a plurality of interconnected nodes *and a graphical user interface portion*”, and also fails to teach or suggest “wherein said programmatically generating the graphical program includes generating the block diagram portion *and the graphical user interface portion*”, as recited in Applicants’ amended claim 1. Specifically, Ohara fails to teach including a graphical user interface portion in a generated graphical program. Rather, Ohara, which relates generally to a graphical programming methodology for creating programmable logic controller (PLC) programs, teaches the automatic generation of a program for manipulating *input and output signals* of a programmable logic controller (PLC) (Ohara, column 16, lines 29-34) and further teaches that the generated program is transferred to a PLC for execution (Ohara, column 25, lines 8-10). Ohara describes that a user defines the behavior of output signals in terms of various related input signals (Ohara, column 16, lines 56-62, column 18, line 65 - column 19, line 3, and Figures 3 and 10). After a careful reading of Ohara, Applicants can find no reference teaching (or suggesting) that the graphical program comprises a graphical user interface portion, nor any reference teaching (or suggesting) that programmatically generating the graphical program includes generating a graphical user interface portion. Applicants further assert that a program generated for, transferred to, and executed on, a PLC would not include such a graphical user interface portion.

The Examiner contends, regarding now cancelled claim 9, that Ohara does teach “wherein the graphical program comprises a user interface portion” and cites Figure 37

for support. Applicants note however, that Figure 37 only illustrates the user interface of the development system utilized to define the desired behavior of a PLC program (See, e.g. Ohara, column 45, lines 24-40), and does not refer to a graphical user interface portion of a programmatically generated graphical program, as recited in Applicants amended claim 1.

Applicants respectfully remind the Examiner that anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984). The identical invention must be shown in as complete detail as is contained in the claims. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). See also M.P.E.P. § 2131.

Thus, Applicants respectfully submit that Ohara does not anticipate Applicants' invention as represented in amended claim 1. Applicants further submit that, for at least the reasons presented above, claim 1, and claims dependent thereon, are patentably distinct over Ohara, and thus allowable. Removal of the 102(e) rejection of claim 1, and claims dependent thereon, is therefore respectfully requested. As arguments similar to those discussed above regarding claim 1 apply to claims 16, 17, 18, 21, and 34, removal of the 102(e) rejection of these claims and their respective dependent claims is also respectfully requested.

Applicants amended claim 23 recites:

23. A computer-implemented method for programmatically generating a graphical program, the method comprising:

displaying a node in the graphical program in response to user input;

displaying a graphical user interface (GUI) for configuring functionality for the node in response to user input;

receiving user input via the GUI indicating desired functionality for the node; and

programmatically including graphical source code associated with the node in the graphical program, wherein the programmatically included graphical source code implements the desired functionality;

wherein said programmatically including graphical source code associated with the node in the graphical program comprises programmatically including the graphical source code as a sub-program of the graphical program, wherein the node represents the sub-program.

Applicants submit that Ohara does not teach that programmatically including graphical source code associated with the node in the graphical program comprises programmatically including the graphical source code *as a sub-program of the graphical program, wherein the node represents the sub-program.*

The Examiner asserts, referring to now cancelled claim 26, that including graphical source code (associated with a node in the graphical program) as a sub-program of the graphical program is inherent in Ohara's teachings. Applicants respectfully disagree with the Examiner's interpretation of Ohara, and submit that Ohara teaches that when "devising" new inputs (a new node in the program source) the resultant source is placed *inline with* existing program source (Ohara, Figures 56 and 57). In fact, Ohara specifically states that the *identical functionality and programming user interfaces* are used when devising a set of inputs as when originally defining program functionality (Ohara, column 55, lines 36-48, and column 56, lines 60-64). Thus, rather than associating the new graphical source with a single new node in the program source code, such that the new node (representing the new graphical source) is displayed when viewing the program source code, Ohara teaches that the resultant new graphical source code itself is inserted into the program source code. In other words, every piece of the new graphical source code is displayed inline with older, pre-existing program source code (rather than being represented by a single new node or programming box).

Applicants respectfully direct the Examiner's attention to Figures 56, 57, and 61 of Ohara, where it is clearly illustrated that when a user devises new inputs (adds a new

programming node) the initial blank programming box 5625 (a new node) of Figure 56 is replaced by the two resultant programming boxes 5726 and 5727 of Figure 57, and thus, in Figure 61 (which shows the same program) there is no longer any trace of the originally inserted programming box 5625. Only the two resultant programming boxes 5727 and 5726 (numbered 6102) are displayed in Figure 61.

Applicants submit that not only does Ohara fail to expressly teach including graphical source code as a sub-program of the graphical program; such teaching is also not inherent in Ohara's teaching.

Thus, Applicants respectfully submit that Ohara does not teach Applicants' invention as represented in amended claim 23. Applicants thus submit that, for at least the reasons provided above, claim 23, and claims dependent thereon, are patentably distinct over Ohara, and are thus allowable. Removal of the 102(e) rejection of claim 23, and claims dependent thereon, is respectfully requested. As arguments similar to those discussed above regarding claim 23 apply to claims 26 and 46, removal of the 102(e) rejection of these claims and their respective dependent claims is respectfully requested.

Applicant also asserts that numerous ones of the dependent claims recite further distinctions over the cited art. However, since the independent claims have been shown to be patentably distinct, a further discussion of the dependent claims is not necessary at this time.

CONCLUSION

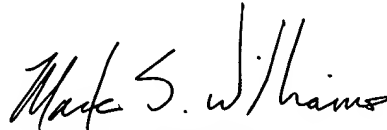
Applicants submit the application is in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel PC Deposit Account No. 50-1505/5150-48300/JCH.

Also enclosed herewith are the following items:

☒ Return Receipt Postcard

Respectfully submitted,



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Date: July 23, 2004 JCH/MSW/RWG